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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
USPTO	Mark R. Buscher

COMPANY:	DATE:
	September 22, 2006

FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571 273 8300	3+1

PHONE NUMBER:	SENDER'S REFERENCE NUMBER:

RE:	YOUR REFERENCE NUMBER:

Application No. 10/750,211
Filing Date: January 2, 2004
Inventors: Raymond J. H. Westheim et al.

The following are submitted herewith for filing in the above-identified application:

1. Transmittal Form (SB/21); and
2. Response to Restriction Requirement (2 pages).
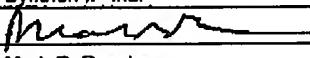
PTO/SB/21 (09-04)
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TRANSMITTAL FORM *(to be used for all correspondence after initial filing)*	Application Number	10/750,211
	Filing Date	Jan 2, 2004
	First Named Inventor	Raymond J.H. Westheim
	Art Unit	1626
	Examiner Name	Laura Lynne Stockton
Total Number of Pages in This Submission	Attorney Docket Number	SYN-0040

ENCLOSURES *(Check all that apply)*

☐ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance communication to (TC)
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☐ Amendment / Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Power of Attorney, Revocation Change of Correspondence Address	☐ Status Letter
☐ Extension of Time Request	☐ Terminal Disclaimer	☒ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Request for Refund	Response to Restriction Requirement
☐ Information Disclosure Statement	☐ CD, Number of CD(s) _____	
	☐ Landscape Table on CD	
☐ Certified Copy of Priority Document(s)	Remarks	
☐ Reply to Missing Parts/ Incomplete Application		
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Synthon IP Inc.		
Signature	*[signature]*		
Printed name	Mark R. Buscher		
Date	September 22, 2006	Reg. No.	35,006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	*[signature]*		
Typed or printed name	Mark R. Buscher	Date	September 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PATENT
Atty Docket No.: SYN-0040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J.H. Westheim	Confirm. No.:
Serial No.: 10/750,211	Art Unit: 1626
Filed: January 2, 2004	Examiner: Laura Lynne Stockton

For: ONDANSETRON FORMS AND PROCESSES OF MAKING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office letter dated August 23, 2006, the Examiner in charge of

the above-identified application required restriction to one of the following groups of

claims:

Group I   - Claims 1-21, drawn to products;

Group II - Claims 22-29, drawn to a process of making; or

Group III - Claims 30-33, drawn to a process of making.

This requirement is respectfully traversed. Applicants believe that no undue

burden would be placed on the Examiner by searching all of the claims in a single

application. Indeed, the class and subclass for each of Groups I-III is identical, namely

class 548, subclass 311.4. Accordingly, Applicants submit there is no need for the

Examiner to insist upon restriction in the present application.

Serial No.: 10/750,211

In order to be fully responsive, however, Applicants hereby elect, with traverse as noted above, Group I, claims 1-21 for examination on the merits.

Should the Examiner have any questions regarding this application, she is encouraged to contact Mark R. Buscher (Reg. No. 35,006) at telephone No. 703 753 5256.

Respectfully submitted,

Date: September 22, 2006   By: _Mark R. Buscher_____
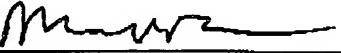
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